

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON, OHIO**

ROSINA A. VACCHIANO

Case No. 3:06-cv-00342

Plaintiff,

District Judge Walter Herbert Rice

v.

JOHN E. POTTER, Postmaster General,  
United States Postal Service

Defendant.

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**JOINT MOTION TO CONTINUE FEBRUARY 1, 2010 TRIAL DATE**

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Now come the parties to this civil action, by and through counsel, who move this Court for an order continuing the February 1, 2010 trial date. The grounds for this motion are set forth in the following memorandum.

Respectfully submitted,

s/Geoffrey Damon/email 1-12-10

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**MEMORANDUM**

Defendant filed his Motion for Summary Judgment (Doc. 21) on April 27, 2009; Plaintiff filed her Memorandum in Opposition (Doc. 25) on June 9, 2009; and Defendant filed his Reply Memorandum (Doc. 26) on June 18, 2009. The parties seek a continuance of the February 1, 2010 trial date so that this Court has an opportunity to rule on Defendant's Motion for Summary Judgment. Until such a decision is rendered by the Court, the parties are unable to determine what, if any, issues will remain for trial. Therefore, the parties request that this court continue the February 1, 2010 trial date, pending disposition of Defendant's Motion for Summary Judgment.

Respectfully submitted,

s/Geoffrey Damon/email 1-12-10

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